

Committee Agenda

Committee: Senate Agriculture and Natural Resources
Room: 412
Date: Thursday, January 27, 2011
Time: 10:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 55](#)

allow the shooting of coyotes from snowmobiles.

Senators Maher, Begalka, Frerichs, Garnos, Hansen (Tom), and Rhoden and Representatives Verchio, Brunner, Hoffman, Kopp, Nelson (Stace), Olson (Betty), and Schrempp

BILLS FOR POSSIBLE ACTION WHICH HAVE HAD PRIOR HEARING.

SHANTEL KREBS, Chair

86th Legislative Session – 2011

Committee: Senate Appropriations

Thursday, January 27, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Sutton
P Haverly
P Heineman
P Novstrup (Al)
P Peters
P Putnam
P Rampelberg

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman Corey Brown.

SB 10: appropriate certain funds for the construction of a new dairy manufacturing plant at South Dakota State University and to declare an emergency.

Presented by: Jeff Siekmann, SDSU (Handout: 1)
Proponents: Walt Bones, Department of Agriculture
Brenda Forman, SD Association of Cooperatives

MOTION: DO PASS SB 10

Moved by: Putnam
Second by: Tidemann
Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Haverly, Heineman, Novstrup (Al), Peters, Putnam, Rampelberg, Tidemann, Brown

Excused: Sutton

SB 11: make an appropriation from the coordinated natural resources fund to the State Conservation Commission and to declare an emergency.

Presented by: Walt Bones, Department of Agriculture (Handouts: 2 and 3)

Ray Sowers, Department of Agriculture

Proponents: Angela Ehlers, SD Association of Conservation Districts

MOTION: DO PASS SB 11

Moved by: Tidemann

Second by: Peters

Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Haverly, Heineman, Novstrup (Al), Peters, Putnam, Rampelberg, Tidemann, Brown

Excused: Sutton

SB 37: revise the appropriation for the construction and renovation of a combined minimum security and parole facility in Rapid City and to declare an emergency.

Presented by: Tim Reisch, Department of Corrections (Handouts: 4, 5, 6 and 7)

Proponents: Representative Lance Carson

MOTION: DO PASS SB 37

Moved by: Haverly

Second by: Rampelberg

Action: Prevailed by roll call vote. (8-0-1-0)

Voting Yes: Sutton, Haverly, Heineman, Novstrup (Al), Putnam, Rampelberg, Tidemann, Brown

Excused: Peters

MOTION: ADJOURN

Moved by: Tidemann

Second by: Putnam

Action: Prevailed by voice vote.

Barb Bjorneberg
Committee Secretary

Corey Brown, Chair

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Thursday, January 27, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
E Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 25, 2011

Moved by: Johnston
Second by: Nygaard
Action: Prevailed by voice vote.

SB 100: repeal certain provisions regarding unemployment insurance benefit eligibility of workers attending approved training.

THE CHAIR DEFERRED SB 100 UNTIL TUESDAY, FEBRUARY 1, 2011

SB 43: revise certain health insurance standards for patient protection.

Presented by: Randy Moses, Division of Insurance

THE CHAIR DEFERRED SB 43 UNTIL TUESDAY, FEBRUARY 1, 2011

SB 70: prohibit the creation of private transfer fee obligations and to require certain procedures for notice and disclosure for existing private transfer fee obligations.

Presented by: Senator Deb Peters

Proponents: Dean Krogman, SD Association of Realtors
Dee Jones Noordermeer, Executive Director, Real Estate Commission
Chuck Schroyer, SD Land Title Association

MOTION: AMEND SB 70

70sa

On page 3 of the printed bill, delete lines 14 to 18, inclusive.

On page 3, line 19, delete "9" and insert "8".

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 70 AS AMENDED

Moved by: Johnston
Second by: Nygaard
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 70

70ja

On page 4 of the printed bill, delete lines 7 to 24, inclusive.

On page 5, delete line 1.

On page 5, line 17, delete "prohibits".

On page 5, delete line 18.

On page 5, line 20, delete "7 to 12" and insert "5 to 10".

On page 7, line 3, delete "7" and insert "5".

On page 7, line 13, delete "11" and insert "9".

On page 7, line 20, delete "12" and insert "10".

On page 7, line 22, delete "10" and insert "8".

On page 8, line 8, delete "11" and insert "9".

Moved by: Adelstein
Second by: Lederman
Action: Was not acted on.

THE CHAIR DEFERRED SB 70 UNTIL TUESDAY, FEBRUARY 1, 2011

SB 94: repeal and revise certain provisions related to building energy codes.

Presented by: Senator Mark Johnston
Proponents: Mike Mueller, Bureau of Administration, Pierre
Luke Temple, Dakota Rural Action

MOTION: DO PASS SB 94

Moved by: Adelstein
Second by: Rave
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Buhl

MOTION: PLACE SB 94 ON CONSENT CALENDAR

Moved by: Johnston
Second by: Rave
Action: Prevailed by voice vote.

SB 110: revise certain provisions relating to collateral real estate mortgages.

Presented by: Senator Tim Rave
Proponents: Brett Koenecke, SD Bankers Association (Handouts: 1 & 2)

MOTION: DO PASS SB 110

Moved by: Nygaard

Second by: Rave

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Excused: Buhl

MOTION: PLACE SB 110 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Johnston

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Johnston

Second by: Lederman

Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair

Committee Agenda

Committee: Senate Education
Room: 423
Date: Thursday, January 27, 2011
Time: 8:00 AM

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) 48 hours before convening to make any necessary arrangements.

[SB 60](#) **repeal the reduction in state aid to general education funding for any school district that receives proceeds from the Commission on Gaming.**

Senators Nelson (Tom), Fryslie, Maher, Nygaard, and Rhoden and Representatives Romkema, Blake, Brunner, Dryden, Hoffman, Kirkeby, Olson (Betty), Sly, Turbiville, and Verchio

[SB 111](#) **extend for two years the period of time in which school districts may expend capital outlay funds for certain transportation, insurance, energy, and utility costs.**

Senators Olson (Russell), Adelstein, Begalka, Bradford, Brown, Buhl, Fryslie, Gray, Hundstad, Hunhoff (Jean), Kraus, Krebs, Maher, Nygaard, Peters, Putnam, Rampelberg, Rave, Schlekeway, and Sutton and Representatives Vanneman, Bolin, Boomgarden, Brunner, Carson, Conzet, Cronin, Elliott, Fargen, Gosch, Greenfield, Haggar, Hansen (Jon), Hoffman, Hunt, Juhnke, Kirkeby, Kirschman, Kopp, Lust, Moser, Olson (Betty), Rausch, Romkema, Russell, Schaefer, Sly, Solum, Street, Stricherz, Tornow, Tulson, Van Gerpen, Verchio, and Wink

[SB 92](#) **extend for three years the period of time in which school districts may expend capital outlay funds for certain transportation, insurance, energy, and utility costs, to include group health insurance costs among those costs, and to increase the percentage of capital outlay funds which may be expended for those costs.**

Senators Garnos, Bradford, Johnston, Rave, and Schlekeway and Representatives Bolin and Sly

[SB 72](#) **revise how certain kindergarten students are counted for the purpose of state aid to education funding, and to establish in statute the minimum number of hours required in a school term for grades one through three.**

Senators Peters, Brown, Haverly, Kraus, Lederman, Novstrup (Al), Olson (Russell), and Tidemann and Representatives Sly, Brunner, Cronin, Dryden, Gosch, Hubbel, Moser, Munsterman, Nelson (Stace), Novstrup (David), and Willadsen

[SB 104](#) **require each school district to develop a policy to prohibit bullying that meets certain requirements.**

Senators Adelstein, Buhl, Lederman, Nygaard, Peters, and Schlekeway and Representatives Sly, Brunner, Feinstein, Liss, Lucas, Schrempp, and Verchio

86th Legislative Session – 2011

Committee: Senate Judiciary

Thursday, January 27, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
E Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 25, 2011

Moved by: Hunhoff (Jean)
Second by: Begalka
Action: Prevailed by voice vote.

SB 34: create the crime of possessing, selling, or distributing certain substances intended for the purpose of intoxication.

Presented by: Marty Jackley, Attorney General

MOTION: DO PASS SB 34

Moved by: Cutler
Second by: Vehle
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

SB 35 and SB 54 were heard together.

SB 35: revise certain provisions regarding the crime of taking pictures without consent.

Presented by: Marty Jackley, Attorney General

SB 54: criminalize certain acts exploiting minors and to provide a penalty therefor.

Presented by: Senator Dan Lederman (Handouts: #1)

Proponents: Alexis Tracy, Union County States Attorneys Office

Marty Jackley, Attorney General responded to questions from the committee.

MOTION: AMEND SB 35

35ra

On page 2, line 1, of the printed bill, after "." insert "However, a violation of this section is a Class 6 felony if the victim is seventeen years of age or younger and the perpetrator is at least twenty-one years old.".

Moved by: Begalka
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: AMEND SB 35

35rb

On the previously adopted amendment (35ra), delete "twenty-one" and insert "twenty-five".

Moved by: Vehle

Second by: Nygaard
Action: Failed by roll call vote. (2-4-1-0)

Voting Yes: Hunhoff (Jean), Vehle

Voting No: Begalka, Nygaard, Cutler, Tieszen

Excused: Buhl

MOTION: DO PASS SB 35 AS AMENDED

Moved by: Cutler
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: AMEND TITLE OF SB 35

35rta

On page 1, line 2, of the printed bill, after "consent" insert "and to provide for a felony penalty under certain circumstances".

Moved by: Nygaard
Second by: Begalka
Action: Prevailed by voice vote.

MOTION: DEFER SB 54 TO THE 41ST LEGISLATIVE DAY

Moved by: Cutler
Second by: Hunhoff (Jean)
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: ADJOURN

Moved by: Nygaard
Second by: Vehle
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair